

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

WILLIAM GEOFFERY DOBBINS,)
#167085,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO. 2:08cv747-TMH
)
J. C. GILES, et al.,)
)
Defendants.)

ORDER AND OPINION

On September 24, 2008, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 7). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that:

1. The plaintiff's claims against the Alabama Department of Corrections and the Ventress Correctional Facility are DISMISSED prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(I).
2. The Alabama Department of Corrections and the Ventress Correctional Facility are DISMISSED as defendants in this cause of action.

3. This case, with respect to the plaintiff's claims against defendants J. C. Giles and Richard Allen, are referred back to the Magistrate Judge for appropriate proceedings.

Done this the 24th day of October, 2008.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE